

## **CITY OF HOLLISTER - AGENDA**

for **City Council Meeting**

of **January 17, 2006** at **6:30 p.m.** in the City Council Chambers, City Hall, 375 Fifth Street, Hollister

### **NOTICE TO PUBLIC**

Persons who wish to address the City Council must complete a Speakers Card and give it to the Clerk prior to addressing the City Council. Those who wish to address the City Council on an agenda item will be heard when the presiding officer calls for comments from the audience. City related items not on the agenda will be heard under the Public Input section, Section B, of the agenda. Following recognition persons desiring to speak are requested to advance to the podium and state their name and address. After hearing audience comments, the public portion of the meeting will be closed and the matter brought to the City Council for discussion and action.

Requests to make presentations to the City Council should be submitted to the City Clerk's Office at least ten days preceding the City Council meeting. It is customary for the staff members to review such matters prior to formal presentation in order that the City Council may have the benefit of all available data.

All matters listed under Consent Resolution will be enacted by one motion authorizing actions indicated for those items so designated. There will be no separate discussion of these items unless requested by a member of the City Council, a staff member, or a citizen.

**\*\* 6:00 p.m. - Closed Session -- See Attached Agenda.**

### **Call to Order**

### **Pledge of Allegiance**

**Roll Call:** Mayor Robert Scattini, City Council Members Doug Emerson, Pauline Valdivia, Brad Pike, and Monica Johnson, City Manager Clint Quilter, City Attorney Elaine Cass, and City Clerk Geri Johnson.

### **Verification of Agenda Posting**

**Presentation:** Employee Service Awards for 4th Quarter, 2005  
Certificates of Recognition to:  
San Benito High School 2005 Football Team-2005 Central Coast Section Champions  
Hollister Vikings 2005 Football Team-2<sup>nd</sup> Place National Champions  
Hollister Vikings Midget Cheer-13<sup>th</sup> Place Finish at 2005 Nationals  
Hollister Vikings Jr. Pee Wee Cheer-9<sup>th</sup> Place Finish at 2005 Nationals

**Proclamation:** January is National Volunteer Blood Donor Month

**6:00 p.m. - CLOSED SESSION AGENDA:**

- A. Public comment (limited to any item listed on Closed Session agenda).
- B. A Closed Session will be held by the City Council of the City of Hollister to discuss all or some of the following matters:
  - 1. Conference with Legal Counsel - Anticipated Litigation - Significant Exposure to Litigation pursuant to Government Code Section 54956.9(b) - (3 potential cases will be discussed).
  - 2. Conference with Legal Counsel - Anticipated Litigation - Initiation of Litigation pursuant to Government Code Section 54956.9(c) - (2 potential cases will be discussed).
  - 3. Conference with Legal Counsel - Pending Litigation - Pursuant to Government Code Section 54956.9(a) –
    - a. RWQCB – Cease and Desist Order No. R3-2002-0105
    - b. City of Hollister v. Monterey Insurance Company, California Capital Insurance Company, Case Number M65916
    - c. Nicholson v. Hollister, Case No. CU-04-00063

**6:30 p.m. - AGENDA**

**A. CONSENT RESOLUTION (January 17, 2006):**

All items listed under consent Resolution will be enacted by one motion authorizing actions indicated for those items so designated. There will be no separate discussion of these items unless requested by a member of the City Council, a Staff member, or a Citizen.

**Consent Items are Numbers A1, A2, A3, A4, A5, A6 and A7**

- A1. Minutes of the Special Meeting January 9, 2006.

Approve Minutes of the Special Meeting January 9, 2006, as submitted.

- A2. Warrant Register(s).

The City Council will ratify and approve the following Warrant Register(s) for the General-Special-Enterprise-Assessment Funds dated:

- December 29, 2005, in the amount of \$ 579,788.57
- January 6, 2006, in the amount of \$ 22,824.30

A3. ABC License Reviews – The Broken Wing.

This item acknowledges City Council receipt of the ABC license review for The Broken Wing at 500 San Benito Street and orders it filed.

A4. ABC License Reviews – DeMaggios Cafe.

This item acknowledges City Council receipt of the ABC license review for DeMaggios Cafe at 1709 Airline Highway, #A and orders it filed.

A5. Resolution No. 2006-05, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER AUTHORIZING THE SUPPLEMENTAL APPROPRIATION OF FUND 620 AND FUND 621 FOR C.I.P. 2501 Lessalt Water Treatment Plant pre-design report (PDR) for construction modifications.

This resolution will authorize the supplemental appropriation of funds for C.I.P. 2501 for additional preliminary design services.

A6. Resolution No. 2006-06, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER AUTHORIZING THE EXECUTION OF CONTRACT AMENDMENT NO. 2 WITH ZENON ENVIRONMENTAL, INC. FOR THE PURCHASE OF MEMBRANE EQUIPMENT FOR THE LONG-TERM DOMESTIC WASTEWATER TREATMENT PLANT C.I.P. 2202.

This resolution will amend the proposal received March 1, 2004 from Zenon Environmental, Inc. and will authorize the Mayor to execute the contract agreement #2 for the purchase of equipment to increase the scope of the project for the Long-Term DWTP.

A7. Resolution No. 2006-07, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER AUTHORIZING EXECUTION OF AGREEMENT WITH FAIRBANK, MAKLIN, MAULLIN & ASSOCIATES, INC. FOR COORDINATION OF COMMUNITY POLLING.

This Resolution will approve a contract with Fairbank, Maslin, Maullin & Associates to perform community polling to determine future service needs and funding.

**B. PETITIONS, REMONSTRANCES, AND COMMUNICATIONS:**

1. PUBLIC INPUT.

This is the time for anyone in the audience to speak on any item not on the agenda and within the subject matter jurisdiction of the council. When the City Clerk calls your name, please come to the podium, state your name and address for the record, and speak to the Council. Each speaker will be limited to two (2)

minutes. Please note that state law prohibits the council from discussing or taking action on any item not on the agenda.

**C. PUBLIC HEARINGS (On or After 6:30 p.m.)**

None.

**D. INTRODUCTION AND ADOPTION OF RESOLUTIONS AND ORDINANCES:**

1. Resolution No. 2006-08, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER ACCEPTING FUNDING FROM THE DEPARTMENT OF TRANSPORTATION HAZARD ELIMINATION SAFETY (HES) PROGRAM AND AUTHORIZING THE CITY MANAGER TO SIGN ALL DOCUMENTS RELATED TO THE HES PROGRAM FOR THE SAN FELIPE ROAD/FALLON ROAD TRAFFIC SIGNALIZATION PROJECT, C.I.P. 2359.

This Resolution will accept funding from the Department of Transportation and authorize the City Manager to sign documents related to the implementation of the HES program for the San Felipe Road/Fallon Road Traffic Signalization Project.

2. Resolution No. 2006-09, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER ACCEPTING FUNDING FROM THE DEPARTMENT OF TRANSPORTATION LOCAL ASSISTANCE AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT FOR THE SAN FELIPE BIKEWAY PROJECT, C.I.P. 2511.

This resolution will accept funding from the Department of Transportation and authorize the City Manager to sign documents related to the implementation of the San Felipe Bikeway Project.

**E. REPORTS OF CITY COUNCIL, OFFICERS, BOARDS, AND COMMITTEES:**

1. Reports from City Council Committees.

Receive oral reports from members regarding the activities of various Ad hoc and Standing City Council Committees.

2. Reports from City Council, City Manager, City Attorney, and Staff.

Receive oral reports from the City Council, City Manager Quilter, City Attorney Cass, City Clerk Johnson, and other Staff as applicable.

3. Water and Wastewater Issues.

The City Council will receive an oral status report from City Manager Quilter.

4. Hollister Municipal Airport status report.

The City Council will receive a status report on the Hollister Municipal Airport from Airport Manager Gere.

5. Insurance Services Office Report grading the City of Hollister.

Staff will give a report on the recent insurance grading of the City of Hollister by the Insurance Service Office.

6. Code Enforcement Division 2005 Activity Summary.

This report is of the 2005 Code Enforcement Division calls for service.

7. Mayoral Appointments to City Council Committees.

The City Council will ratify the Mayoral Appointments to the City Council Committees for 2006.

8. November 5, 2005 Financial Activity Report

The City Council will receive the Financial Activity Report ending November 2005.

**F. UNFINISHED BUSINESS:**

1. Appointment of Community Member-at-Large, and Alternate, to the Gang Task Force Advisory Board (continued from December 19,2005).

The City Council will ratify appoints of a Community Member-at-Large and Alternate to the Gang Task Force Advisory Board.

2. 2006 Motorcycle Rally.

The City Council will discuss the motorcycle rally in general and provide direction to staff as necessary.

**G. NEW BUSINESS:**

None.

**H. MISCELLANEOUS:**

None.

**ADJOURNMENT:**

Next Regular City Council Meeting is scheduled for February 6, 2006, at 6:30 p.m.

*In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk's Office at (831) 636-4304. Notification of 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting [28 CFR 35.102-35.104 ADA Title II].*